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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAHA ASKAR, an individual on behalf of herself
and others similarly situated,

Plaintiff,

v.

HEALTH PROVIDERS CHOICE, INC.; and
DOES 1 to 10 inclusive,

Defendants.

Case No. 5:19-CV-06125-BLF

~~PROPOSED~~ ORDER RE
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT

Date: March 4, 2021
Time: 9:00 a.m.
Location: Courtroom 3
(San Jose Courthouse)

~~PROPOSED~~ ORDER RE MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT

Plaintiff Maha Askar (“Plaintiff”), individually and on behalf of the proposed class, moved the Court for an order granting preliminary approval of a class action settlement of claims against defendant Health Providers Choice, Inc. (“HPC”). Having carefully considered the motion, its supporting papers, and the arguments of counsel, the Court will GRANT the motion. Accordingly, the Court ORDERS as follows:

1. The Court preliminarily finds that the terms of the Joint Stipulation and Class Action Settlement Agreement (“Settlement”) are fair, reasonable, and adequate, and comply with Rule 23(e) of the Federal Rules of Civil Procedure.

2. The following proposed class (“Settlement Class”) is conditionally certified for purposes of the Settlement only:

All non-exempt hourly employees employed by Health Providers Choice, Inc. in California at any time from September 26, 2015 through the date of this Order who worked one or more workweeks in which they were paid overtime and received per diem pay and/or a monetary bonus.

3. The Court appoints Plaintiff as the representative of the Settlement Class.

4. The Court appoints Hayes Pawlenko LLP as class counsel for the Settlement Class.

5. The proposed manner of the notice of settlement set forth in the Settlement constitutes the best notice practicable under the circumstances and complies with the requirement of due process.

6. The Court approves the form, substance, and requirements of the notice of settlement attached as Exhibit A to the Settlement.

7. The parties shall carry out the notice process according to the terms of the Settlement.

8. The Court appoints Phoenix Class Action Administration Solutions as the settlement administrator, preliminarily approves settlement administration costs of up to \$3,500,

~~PROPOSED~~ ORDER RE MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

1 and directs the settlement administrator to complete dissemination of the notice of settlement in
2 accordance with the Settlement.

3 9. A final approval (fairness) hearing is hereby set for October 7, 2021, at 9:00 a.m.
4 in Courtroom 3 to consider the fairness, reasonableness, and adequacy of the Settlement as well
5 as the award of attorneys' fees and costs to class counsel and a service award to the class
6 representative.

7 10. Class counsel shall file the motion for an award of attorneys' fees and costs and
8 incentive awards twenty-one (21) days after the settlement administrator disseminates the notice
9 of settlement.

10 11. Class counsel shall file the motion for final approval of the Settlement, along with
11 any objections to the Settlement and any responses thereto, no later than thirty-five (35) days
12 before the final approval (fairness) hearing.

13 12. All proceedings in this action, other than proceedings necessary to carry out or
14 enforce the Settlement or this Order, are stayed pending the final fairness hearing and the Court's
15 decision whether to grant final approval of the Settlement.

16
17 DATED: March 4, 2021



HON. BETH LABSON FREEMAN
United States District Judge